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MCDERMOTT, WILL & EMERY

January 15, 2003

Marlene H. Dortch, Esq.
Secretary
Federal Communications Commission
445 - 12th Street, S.W.
Washington, D.C. 20554

Re: Improving Public Safety Communications in the 800 MHz Band, WT Docket No.
02-55; *Ex Parte*

Dear Ms. Dortch:

Entergy Corporation and Entergy Services, Inc. (collectively referred to herein as "Entergy"), and through their undersigned telecommunications counsel, hereby support the "Motion for Extension of Time" filed on January 13, 2003, by the Cellular Telecommunications & Internet Association ("CTIA") requesting an extension of the deadlines for submitting comments and reply comments on the December 24, 2002, "Supplemental Comments of the Consensus Parties."

As explained in its earlier comments and reply comments in this proceeding, Entergy operates a multi-state 800 MHz land mobile network, consisting of 170 base station sites and approximately 8,000 mobile and portable units, to support the delivery of electric service by its five utility operating companies. Because the uninterrupted operation of this radio network is essential to the continuous and safe delivery of electricity to its approximately 3 million customers, Entergy is very concerned with proposals that have arisen in this docket that would require it to change frequencies, replace equipment, and/or accept an increased potential for interference without adequate recourse.

Entergy's preliminary review of the "Supplemental Comments" filed by the so-called "Consensus Parties" indicates that this plan could impose these types of conditions on Entergy's operation. As such, Entergy has a strong interest in thoroughly reviewing this proposal and providing its comments to the FCC. Pursuant to a Public Notice issued by the Wireless Telecommunications Bureau on January 3, 2003, comments on the Supplemental Comments are due by February 3 and reply comments by February 18.¹

Entergy understands that the Consensus Plan would impose specific conditions on Entergy to accelerate its relocation within the band, despite the fact that Entergy operates one of the largest non-commercial radio systems in the 800 MHz band. Thus, Entergy must carefully consider the plan as presented by the Consensus Parties and determine whether the burdens imposed on Entergy in connection with this plan are consistent with Entergy's public service obligation to provide uninterrupted utility service to its customers. These are not insignificant issues that can be dismissed by assurances from Nextel and a few trade associations that they will implement this plan without "significant disruption" to incumbent licensees.

Entergy supports the Commission's desire to find a prompt and effective solution to the interference from Nextel's operations to Public Safety licensees. However, the Commission should not allow itself to be pressured into adopting a plan until Entergy and other affected licensees have an adequate opportunity to thoroughly review the plan and advise the Commission on whether it appears likely that the benefits of the plan outweigh the costs, both financial and operational. The Supplemental Comments describe a complex series of transactions that would result in relocation, over a four-year period, of all radio systems in at least one-third of the 800 MHz band. The Supplemental Comments also describe procedures for addressing interference complaints between commercial carriers such as Nextel and other licensees, with these procedures to become effective only after the relocations have occurred. Thus, compared with the time required to achieve interference mitigation as presented in the Consensus Plan, a four-week extension of time to submit comments will not significantly impact any party to this proceeding, but will provide for a more comprehensive record on which the Commission can base a decision.

Moreover, allowing additional time for public review of the concepts advanced by the Consensus Parties might generate new ideas for ways to more promptly mitigate public safety interference and with less cost and disruption. Although Entergy recognizes that Nextel and the other members of the Consensus Group have presented their plan as an "all-or-nothing" proposition, this self-serving condition should not deter the Commission from considering all possible options for addressing this serious issue.

¹ "Wireless Telecommunications Bureau Seeks Comment on 'Supplemental Comments of the Consensus Parties' Filed in the 800 MHz Public Safety Interference Proceeding -- WT Docket No. 02-55," *Public Notice*, DA 03-19 (rel. Jan. 3, 2003).

Entergy therefore supports CTIA's Motion for Extension of Time, and requests that the Commission extend the comment and reply comment dates by at least four weeks.

Pursuant to the Commission's Rules, one copy of this letter is being submitted electronically through the Commission's Electronic Comment Filing System.

Very truly yours,

[/s/ Shirley S. Fujimoto](#)

Shirley S. Fujimoto
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